REMARKS/ARGUMENTS

After the above amendment claims 1-4, 6-9 and 12-19 are pending in this application. Various amendments have been made to the claims in order to clarify specific functions without the intent to in any way limit the scope of the claims. Product claim 10-11 have been replaced by new claims 12-19 which track method claims 3-9. No new matter has been introduced into the application by these amendments.

Claim Rejections

Claims 1 and 3 - 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmutz et al (US Pub 2001/0048727). Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmutz in view of Yang (US Pub 2003/0139160). Claims 9 - 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmutz in view of Mutujo (US Pub 2004/0151264). These rejections are respectfully traversed.

With respect to amended claim 1, an initial gain setting is determined by "selecting between the adjusted stored setting and a predetermined fixed value." This is explained in the specification on page 7 with reference to Figure 2, items 135 and 136. The prior art does not teach or suggest making such a selection for an initial gain setting. Accordingly, the rejections of claims 1 and 2 should be withdrawn.

With respect to the remaining claims 3-4, 6-9 and 12-19, the are directed to a method and apparatus for recursively adjusting the gain factor applied while processing the data signal received with respect to the selected timeslot of time frame. Figure 4 reflects how saturation values are determine for groups of samples 211, 212, and 213 from which adjustments are derived within a single timeslot. Claim 12, for example, defines:

> a gain control adjustment circuit operatively associated with said gain control and said saturation detection circuit to adjust the gain factor applied by the gain control based in part on group saturation numbers determined by the saturation detection circuit while processing the data signal received with respect to the selected timeslot of time framesuch that:
>
> an initial gain factor is applied to a first group of samples of the data signal received in the selected timeslot for which a first group saturation number is determined by the saturation detection circuit,
>
> a gain factor adjusted based in part on the first group saturation number is applied to a second group of samples of the data signal received in the selected timeslot for which a second group saturation number is determined by the saturation detection circuit, and
>
> a gain factor adjusted based in part on the second group saturation number is applied to a third group of samples of the data signal received in the selected timeslot.

Unlike the prior art, multiple gain factor adjustments are made for data within a selected timeslot based on a saturation evaluation of saturation of multiple sample groups within the same timeslot. Neither Schmutz or any other of the cited references, alone or in combination, teach the derivation of gain adjustment factors based on saturation values of multiple sample groups within the same timeslot. Accordingly, the remaining rejections of claims should be withdrawn.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application, including claims 1-4, 6-9 and 12-19, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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